



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Barry Spitzer
DOCKET NO.: 13-01027.001-R-1
PARCEL NO.: 15-36-206-002

The parties of record before the Property Tax Appeal Board are Barry Spitzer, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 80,890
IMPR: \$119,186
TOTAL: \$200,076

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2013 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story frame dwelling that contains 3,118 square feet of living area. The dwelling was built in 1995. Features include an unfinished basement, central air conditioning, a fireplace and a 505 square foot garage. The

subject property has a 10,454 square foot site. The subject property is located in Vernon Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment was not reflective of market value. In support of this argument, the appellant submitted limited information on three suggested comparable sales. The comparables are located in a different neighborhood code than the subject as defined by the assessor and their proximate location to the subject was not disclosed. The appellant did not disclose the comparables' land sizes. The comparables had varying degrees of similarity when compared to the subject in design, age, size, and features. They sold from July 2010 to December 2010 for prices ranging from \$465,000 to \$520,000 or from \$151.82 to \$172.93 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$200,076 was disclosed. The subject's assessment reflects an estimated market value of \$601,913 or \$193.04 per square foot of living area including land when applying Lake County's 2013 three-year average median level of assessment of 33.24%. 86 Ill.Admin.Code §1910.50(c)(1).

In support of the subject's assessed value, the board of review submitted four comparable sales located in close proximity within the subject's neighborhood. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, size, and features. They sold from May 2011 to August 2013 for prices ranging from \$612,700 to \$665,000 or from \$196.50 to \$212.18 per square foot of living area including land.

The board of review argued the appellant used the wrong dwelling size for comparable #1; comparables #1 and #2 do not have basements; all the comparables are not located in neighboring West Deerfield Township; and all the comparable sold in 2010, more than 24 months prior to the subject's January, 1, 2013 assessment date. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof.

The parties submitted seven suggested comparable sales for the Board's consideration. The Board gave little weight to the comparables submitted by the appellant. None of the comparables are located within the same neighborhood as the subject. In addition, all the comparables sold in 2010, which are dated and less reliable indicators of market value as of the subject's January 1, 2013 assessment date. Finally, the appellant failed to disclose the land size, foundation types or if the comparables had a garage, which further detracts from the weight of the evidence. The Board finds the comparables submitted by the board of review were more similar to the subject in location, land area, design, age, size and most features. They sold from May 2011 to August 2013 for prices ranging from \$612,700 to \$665,000 or from \$196.50 to \$212.18 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$601,913 or \$193.04 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in this record. However, the board of review did not seek to increase the subject's assessment. Based on the preponderance of the most credible market value evidence contained in this record, the Board finds no reduction in the subject's assessment is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.

Chairman



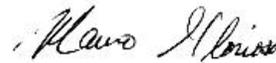
Member



Member



Acting Member



Member



Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: November 20, 2015



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.